

DECLARATION FOR U.S. PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

RECOMBINANT HERPESVIRUS OF TURKEYS AND USE THEREOF

the specification of which is attached hereto unless the following is checked

was filed on January 31, 2002 as United States Application Number _____ or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) – (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed.

Priority Claimed

(List prior foreign applications. See note A below)

| | | | |
|-----------------|------------------|-------------------------------|--|
| <u>(Number)</u> | <u>(Country)</u> | <u>(Day/Month/Year Filed)</u> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <u>(Number)</u> | <u>(Country)</u> | <u>(Day/Month/Year Filed)</u> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <u>(Number)</u> | <u>(Country)</u> | <u>(Day/Month/Year Filed)</u> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <u>(Number)</u> | <u>(Country)</u> | <u>(Day/Month/Year Filed)</u> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

(See note B below)

See attached list for additional prior foreign applications

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Status

(List prior U.S. Applications)

| | | |
|---------------------------------|----------------------|---|
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> | <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned |
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> | <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned |
| <u>(Application Serial No.)</u> | <u>(Filing Date)</u> | <input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



23850

PATENT TRADEMARK OFFICE

Please direct all communications to the following address:



23850

PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See note C) Full name of sole or first inventor (given name, family name) Shuji SAITO Date 1/31/02
Inventor's signature Shuji Saito Citizenship Japanese
Residence Kanagawa, Japan
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Full name of second inventor (given name, family name) Takashi OKUDA Date 1/31/02
Inventor's signature Takashi Okuda Citizenship Japanese
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Full name of third inventor (given name, family name) Mayumi KUBOMURA Date 1/31/02
Inventor's signature Mayumi Kubomura Citizenship Japanese
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Full name of fourth inventor (given name, family name) Kristi M. DORSEY Date 5/7/02
Inventor's signature Kristi M. Dorsey Citizenship American
Residence Lenexa, KS
Post Office Address c/o Biomune Co., 8906 Rosehill Road, Lenexa, KS 66215 USA

Full name of fifth inventor (given name, family name) _____
Inventor's signature _____ Date _____
Residence _____ Citizenship _____
Post Office Address _____

NOTES

- A. Please list all foreign applications relating to the invention and check block "yes" or "no".
- B. If more than 4 prior foreign applications, please check this box and attach a sheet listing the remaining prior foreign applications.
- C. For residence in the U.S., indicate city and state, for residence outside the U.S., indicate city and country. The "Post Office Address" must be an address acceptable by a Post Office for delivery of mail.